United Nations A/AC.109/2011/L.6

General Assembly

Distr.: Limited
15 June 2011
English
Original: Spanish

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Bolivia (Plurinational State of), Cuba, Ecuador, Nicaragua and Venezuela (Bolivarian Republic of): draft resolution

Special Committee decision of 17 June 2010 concerning Puerto Rico

The Special Committee,

Bearing in mind the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960, as well as the resolutions and decisions of the Special Committee concerning Puerto Rico,

Considering that the period 2011-2020 was proclaimed by the General Assembly, in its resolution 65/119 of 10 December 2010, as the Third International Decade for the Eradication of Colonialism,

Bearing in mind the twenty-nine resolutions and decisions adopted by the Special Committee on the question of Puerto Rico, contained in the reports of the Special Committee to the General Assembly, in particular those adopted without a vote in recent years,

Recalling that 25 July 2011 marks the one hundred and thirteenth anniversary of the intervention in Puerto Rico by the United States of America,

Noting with concern that despite the diverse initiatives taken by the political representatives of Puerto Rico and the United States in recent years, the process of decolonization of Puerto Rico, in compliance with General Assembly resolution 1514 (XV) and the resolutions and decisions of the Special Committee on Puerto Rico, has not yet been set in motion,

Stressing the urgent need for the United States to lay the groundwork for the full implementation of General Assembly resolution 1514 (XV) and the resolutions and decisions of the Special Committee concerning Puerto Rico,

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Noting that the inter-agency Task Force on Puerto Rico's Status designated by the President of the United States, which submitted its third report on 16 March 2011, reaffirmed that Puerto Rico is a territory subject to United States congressional authority,

Also noting the "Panama Proclamation", adopted by the Latin American and Caribbean Congress in solidarity with Puerto Rico's Independence, which was held in Panama on 18 and 19 November 2006 and was attended by 33 political parties from 22 countries of the region, the conclusions of which were reaffirmed in Mexico City on 29 March 2008 at the meeting of the Standing Committee for Puerto Rican Independence, and the resolution of the Committee for Latin America and the Caribbean of Socialist International, adopted at its meeting in Bucaramanga (Colombia), on 30 and 31 May 2011, deciding to support the call of the United Nations Special Committee on Decolonization for the General Assembly to examine the colonial case of Puerto Rico, and for the release of Oscar López and other Puerto Rican patriots in jail in the United States,

Further noting the debate in Puerto Rico on the search for a procedure that would make it possible to launch the process of decolonization of Puerto Rico, and aware of the principle that any initiative for the solution of the political status of Puerto Rico should originate from the people of Puerto Rico,

Aware that Vieques Island, Puerto Rico, was used for over 60 years by the United States Marines to carry out military exercises, with negative consequences for the health of the population, the environment and the economic and social development of that Puerto Rican municipality,

Noting the consensus existing among the people and the Government of Puerto Rico on the necessity of ensuring the clean-up, decontamination and return to the people of Puerto Rico of all the territory previously used for military exercises and installations, and of using them for the social and economic development of Puerto Rico,

Also noting the complaints made by the inhabitants of Vieques Island regarding the continued bombing and the use of open burning for clean-up, which exacerbate the existing health problems and pollution and endanger civilian lives,

Further noting the consensus among the people of Puerto Rico in favour of the release of the Puerto Rican political prisoners, some of whom have been serving sentences in prisons in the United States of America for more than thirty years for cases related to the struggle for Puerto Rico's independence,

Noting the concern of the people of Puerto Rico regarding violent actions, including repression and intimidation, against Puerto Rican independence fighters, including those that have recently come to light through documents declassified by federal agencies of the United States,

Also noting that in the Final Document of the Fifteenth Summit Conference of Heads of State and Government of the Movement of Non-Aligned Countries (A/63/965-S/2009/514), held in Sharm el-Sheikh, Egypt, from 11 to 16 July 2009, and at other meetings of the Movement, the right of the people of Puerto Rico to self-determination and independence is reaffirmed on the basis of General Assembly resolution 1514 (XV); the Government of the United States is urged to assume its responsibility to expedite a process that will allow the Puerto Rican people to fully

exercise their inalienable right to self-determination and independence and to return the territory and occupied installations on Vieques Island and at the Roosevelt Roads Naval Station to the Puerto Rican people, who constitute a Latin American and Caribbean nation; and the General Assembly is urged to actively consider the question of Puerto Rico in all its aspects,

Having heard statements and testimonies representative of various viewpoints among the people of Puerto Rico and their social institutions,

Having considered the report of the Rapporteur of the Special Committee on the implementation of the resolutions concerning Puerto Rico,[1]

1. *Reaffirms* the inalienable right of the people of Puerto Rico to self-determination and independence in conformity with General Assembly resolution 1514 (XV) and the applicability of the fundamental principles of that resolution to the question of Puerto Rico;

2. *Reiterates* that the Puerto Rican people constitute a Latin American and Caribbean nation that has its own unequivocal national identity;

3. *Calls again upon* the Government of the United States of America to assume its responsibility to expedite a process that will allow the Puerto Rican people fully to exercise their inalienable right to self-determination and independence, in accordance and in full compliance with General Assembly resolution 1514 (XV) and the resolutions and decisions of the Special Committee concerning Puerto Rico;

4. *Notes* the broad support of eminent persons, Governments and political forces in Latin America and the Caribbean for the independence of Puerto Rico;

5. *Again notes* the debate in Puerto Rico on the implementation of a mechanism that would ensure the full participation of representatives of all viewpoints prevailing in Puerto Rico, including a constitutional assembly on status with a basis in the decolonization alternatives recognized in international law, and aware of the principle that any initiative for the solution of the political status of Puerto Rico should originate from the people of Puerto Rico;

6. *Expresses serious concern* regarding actions carried out against Puerto Rican independence fighters, and encourages the investigation of those actions with the necessary rigour and with the cooperation of the relevant authorities;

7. *Requests* the General Assembly to consider the question of Puerto Rico comprehensively in all its aspects;

8. *Urges* the Government of the United States, in line with the need to guarantee the Puerto Rican people their legitimate right to self-determination and the protection of their human rights, to complete the return of occupied land and installations on Vieques Island and in Ceiba to the people of Puerto Rico, respect fundamental human rights, such as the right to health and economic development, and expedite and cover the costs of the process of cleaning up and decontaminating the impact areas previously used in military exercises through means that do not continue to aggravate the serious consequences of its military activity for the health of the inhabitants of Vieques Island and the environment;

[1] A/AC.109/2011/L.13.

9. *Requests* the President of the United States of America to release the following Puerto Rican political prisoners serving sentences in United States prisons for cases relating to the struggle for the independence of Puerto Rico: Oscar López Rivera, who has been serving a sentence for over thirty years, Avelino González Claudio, and Norberto González Claudio, who was arrested most recently;

10. *Takes note with satisfaction* of the report prepared by the Rapporteur of the Special Committee, in compliance with its resolution of 17 June 2010;

11. *Requests* the Rapporteur to report to the Special Committee in 2011 on the implementation of the present resolution;

12. *Decides* to keep the question of Puerto Rico under continuous review.

United Nations A/AC.109/2011/L.7

General Assembly

Distr.: Limited
14 June 2011

Original: English

Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Bolivia (Plurinational State of), Chile, Cuba, Ecuador, Nicaragua and Venezuela (Bolivarian Republic of): draft resolution

Question of the Falkland Islands (Malvinas)

The Special Committee,

Having considered the question of the Falkland Islands (Malvinas),

Aware that the maintenance of colonial situations is incompatible with the United Nations ideal of universal peace,

Recalling General Assembly resolutions 1514 (XV) of 14 December 1960, 2065 (XX) of 16 December 1965, 3160 (XXVIII) of 14 December 1973, 31/49 of 1 December 1976, 37/9 of 4 November 1982, 38/12 of 16 November 1983, 39/6 of 1 November 1984, 40/21 of 27 November 1985, 41/40 of 25 November 1986, 42/19 of 17 November 1987 and 43/25 of 17 November 1988, Special Committee resolutions A/AC.109/756 of 1 September 1983, A/AC.109/793 of 21 August 1984, A/AC.109/842 of 9 August 1985, A/AC.109/885 of 14 August 1986, A/AC.109/930 of 14 August 1987, A/AC.109/972 of 11 August 1988, A/AC.109/1008 of 15 August 1989, A/AC.109/1050 of 14 August 1990, A/AC.109/1087 of 14 August 1991, A/AC.109/1132 of 29 July 1992, A/AC.109/1169 of 14 July 1993, A/AC.109/2003 of 12 July 1994, A/AC.109/2033 of 13 July 1995, A/AC.109/2062 of 22 July 1996, A/AC.109/2096 of 16 June 1997, A/AC.109/2122 of 6 July 1998, A/AC.109/1999/23 of 1 July 1999, A/AC.109/2000/23 of 11 July 2000, A/AC.109/2001/25 of 29 June 2001, A/AC.109/2002/25 of 19 June 2002, A/AC.109/2003/24 of 16 June 2003, the resolution adopted on 18 June 2004, the resolution adopted on 15 June 2005, the resolution adopted on 15 June 2006, the resolution adopted on 21 June 2007, the resolution adopted on 12 June 2008, the resolution adopted on 18 June 2009 and the resolution adopted on 24 June 2010, and Security Council resolutions 502 (1982) of 3 April 1982 and 505 (1982) of 26 May 1982,

Distressed that, notwithstanding the time that has elapsed since the adoption of General Assembly resolution 2065 (XX), this prolonged dispute has not yet been settled,

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Aware of the interest of the international community in the resumption by the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland of their negotiations in order to find as soon as possible a peaceful, just and lasting solution to the sovereignty dispute relating to the question of the Falkland Islands (Malvinas),

Expressing its preoccupation over the fact that the good level of relations between Argentina and the United Kingdom has not yet led to negotiations on the question of the Falkland Islands (Malvinas),

Considering that this situation should facilitate the resumption of the negotiations in order to find a peaceful solution to the dispute over sovereignty,

Reaffirming the principles of the Charter of the United Nations on the non-use of force or the threat of force in international relations and the peaceful settlement of international disputes,

Calling attention to the importance of the Secretary-General continuing his efforts to give full effect to the mission entrusted to him by the General Assembly in its resolutions on the question of the Falkland Islands (Malvinas),

Reaffirming the need for the parties to take due account of the interests of the population of the islands in accordance with the provisions of the General Assembly resolutions on the question of the Falkland Islands (Malvinas),

1. *Reiterates* that the way to put an end to the special and particular colonial situation in the question of the Falkland Islands (Malvinas) is the peaceful and negotiated settlement of the dispute over sovereignty between the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland;

2. *Takes note* of the views expressed by the President of the Argentine Republic on the occasion of the sixty-fifth session of the General Assembly;

3. *Regrets* that, in spite of the widespread international support for a negotiation between the Governments of Argentina and the United Kingdom that includes all aspects of the future of the Falkland Islands (Malvinas), the implementation of the General Assembly resolutions on this question has not yet started;

4. *Requests* the Governments of Argentina and the United Kingdom to consolidate the current process of dialogue and cooperation through the resumption of negotiations in order to find as soon as possible a peaceful solution to the sovereignty dispute relating to the question of the Falkland Islands (Malvinas), in accordance with the provisions of General Assembly resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25;

5. *Reiterates* its firm support for the mission of good offices of the Secretary-General in order to assist the parties in complying with the request made by the General Assembly in its resolutions on the question of the Falkland Islands (Malvinas);

6. *Decides* to keep under review the question of the Falkland Islands (Malvinas) subject to the directives that the General Assembly has issued and may issue in that regard.

Recalling its resolution 1541 (XV), containing the principles that should guide Member States in determining whether or not an obligation exists to transmit the information called for under Article 73 *e* of the Charter of the United Nations,

Expressing concern that fifty-one years after the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples,[2] there still remain a number of Non-Self-Governing Territories,

Conscious of the importance of continuing effective implementation of the Declaration, taking into account the target set by the United Nations to eradicate colonialism by 2020 and the plan of action for the Second and Third International Decades for the Eradication of Colonialism,[3]

Recognizing that the specific characteristics and the aspirations of the peoples of the Territories require flexible, practical and innovative approaches to the options for self-determination, without any prejudice to territorial size, geographical location, size of population or natural resources,

Noting the stated position of the Government of the United Kingdom of Great Britain and Northern Ireland and the stated position of the Government of the United States of America on the Non-Self-Governing Territories under their administration,

Noting also the constitutional developments in some Non-Self-Governing Territories affecting the internal structure of governance about which the Special Committee has received information,

Convinced that the wishes and aspirations of the peoples of the Territories should continue to guide the development of their future political status and that referendums, free and fair elections and other forms of popular consultation play an important role in ascertaining the wishes and aspirations of the people,

Convinced also that any negotiations to determine the status of a Territory must take place with the active involvement and participation of the people of that Territory, under the aegis of the United Nations, on a case-by-case basis, and that the views of the peoples of the Non-Self-Governing Territories in respect of their right to self-determination should be ascertained,

Noting that a number of Non-Self-Governing Territories have expressed concern at the procedure followed by some administering Powers, contrary to the wishes of the Territories themselves, of amending or enacting legislation for application to the Territories, either through orders in council, in order to apply to the Territories the international treaty obligations of the administering Power, or through the unilateral application of laws and regulations,

Aware of the importance of the international financial services and tourism sectors for the economies of some of the Non-Self-Governing Territories,

Noting the continued cooperation of the Non-Self-Governing Territories at the local and regional levels, including participation in the work of regional organizations,

Mindful that United Nations visiting and special missions provide an effective means of ascertaining the situation in the Territories, that some Territories have not

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[2] Resolution 1514 (XV).

[3] A/56/61, annex, and resolution 65/119.

received a United Nations visiting mission for a long time and that no visiting missions have been sent to some of the Territories, and considering the possibility of sending further visiting missions to the Territories at an appropriate time, in consultation with the relevant administering Powers and in accordance with the relevant resolutions and decisions of the United Nations on decolonization,

Mindful also that, in order for the Special Committee to enhance its understanding of the political status of the peoples of the Territories and to fulfil its mandate effectively, it is important for it to be apprised by the relevant administering Powers and to receive information from other appropriate sources, including the representatives of the Territories, concerning the wishes and aspirations of the peoples of the Territories,

Acknowledging the regular transmission by the administering Powers to the Secretary-General of information called for under Article 73 *e* of the Charter,

Aware of the importance both to the Territories and to the Special Committee of the participation of elected and appointed representatives of the Territories in the work of the Committee,

Recognizing the need for the Special Committee to ensure that the appropriate bodies of the United Nations actively pursue a public awareness campaign aimed at assisting the peoples of the Territories in gaining a better understanding of the options for self-determination,

Mindful, in this connection, that the holding of regional seminars in the Caribbean and Pacific regions and at Headquarters, with the active participation of representatives of the Non-Self-Governing Territories, provides a helpful means for the Special Committee to fulfil its mandate, and that the regional nature of the seminars, which alternate between the Caribbean and the Pacific, is a crucial element in the context of a United Nations programme for ascertaining the political status of the Territories,

Noting the stated positions of the representatives of the Non-Self-Governing Territories before the Special Committee and at its regional seminars,

Mindful that the 2011 Caribbean regional seminar was held in Kingstown from 31 May to 2 June 2011,

Conscious of the particular vulnerability of the Territories to natural disasters and environmental degradation, and, in this connection, bearing in mind the applicability to the Territories of the programmes of action or outcome documents of all United Nations world conferences and special sessions of the General Assembly in the economic and social spheres,

Noting with appreciation the contribution to the development of some Territories by the specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, the Economic Commission for Latin America and the Caribbean and the Economic and Social Commission for Asia and the Pacific, as well as regional institutions such as the Caribbean Development Bank, the Caribbean Community, the Organization of Eastern Caribbean States, the Pacific Islands Forum and the agencies of the Council of Regional Organizations in the Pacific,

Noting the statement by the representative of the Economic Commission for Latin America and the Caribbean at the Caribbean regional seminar in Kingstown

that all six Caribbean Non-Self-Governing Territories are active associate members of the Economic Commission,

Aware that the Human Rights Committee, as part of its mandate under the International Covenant on Civil and Political Rights,[4] reviews the status of the self-determination process, including in small island Territories under examination by the Special Committee,

Recalling the ongoing efforts of the Special Committee in carrying out a critical review of its work with the aim of making appropriate and constructive recommendations and decisions to attain its objectives in accordance with its mandate,

Recognizing that the annual working papers prepared by the Secretariat on developments in each of the small Territories,[5] as well as the substantive documentation and information furnished by experts, scholars, non-governmental organizations and other sources, have provided important inputs to update the present resolutions,

Recalling the report of the Secretary-General on the implementation of decolonization resolutions adopted since the declaration of the First and Second International Decades for the Eradication of Colonialism,[6]

1. *Reaffirms* the inalienable right of the peoples of the Non-Self-Governing Territories to self-determination, in conformity with the Charter of the United Nations and with General Assembly resolution 1514 (XV), containing the Declaration on the Granting of Independence to Colonial Countries and Peoples;

2. *Also reaffirms* that, in the process of decolonization, there is no alternative to the principle of self-determination, which is also a fundamental human right, as recognized under the relevant human rights conventions;

3. *Further reaffirms* that it is ultimately for the peoples of the Territories themselves to determine freely their future political status in accordance with the relevant provisions of the Charter, the Declaration and the relevant resolutions of the General Assembly, and in that connection reiterates its long-standing call for the administering Powers, in cooperation with the territorial Governments and appropriate bodies of the United Nations system, to develop political education programmes for the Territories in order to foster an awareness among the people of their right to self-determination in conformity with the legitimate political status options, based on the principles clearly defined in Assembly resolution 1541 (XV) and other relevant resolutions and decisions;

4. *Stresses* the importance of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples being apprised of the views and wishes of the peoples of the Territories and enhancing its understanding of their conditions, including the nature and scope of the existing political and constitutional arrangements between the Non-Self-Governing Territories and their respective administering Powers;

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[4] See resolution 2200 A (XXI), annex.

[5] A/AC.109/2011/2-12 and 15.

[6] A/65/330 and Add.1.

5. *Requests* the administering Powers to continue to transmit regularly to the Secretary-General information called for under Article 73 *e* of the Charter;

6. *Calls upon* the administering Powers to participate in and cooperate fully with the work of the Special Committee in order to implement the provisions of Article 73 *e* of the Charter and the Declaration and in order to advise the Special Committee on the implementation of the provisions under Article 73 *b* of the Charter on efforts to promote self-government in the Territories, and encourages the administering Powers to facilitate visiting and special missions to the Territories;

7. *Reaffirms* the responsibility of the administering Powers under the Charter to promote the economic and social development and to preserve the cultural identity of the Territories, and, as a priority, to mitigate the effects of the current global financial crisis where possible, in consultation with the territorial Governments concerned, towards the strengthening and diversification of their respective economies;

8. *Requests* the Territories and the administering Powers to take all measures necessary to protect and conserve the environment of the Territories against any degradation, and once again requests the specialized agencies concerned to continue to monitor environmental conditions in the Territories and to provide assistance to those Territories, consistent with their prevailing rules of procedure;

9. *Welcomes* the participation of the Non-Self-Governing Territories in regional activities, including the work of regional organizations;

10. *Stresses* the importance of implementing the plan of action for the Second and Third International Decades for the Eradication of Colonialism,[3] in particular by expediting the application of the work programme for the decolonization of each Non-Self-Governing Territory, on a case-by-case basis, as well as by ensuring that periodic analyses are undertaken of the progress and extent of the implementation of the Declaration in each Territory, and that the working papers prepared by the Secretariat on each Territory should fully reflect developments in those Territories;

11. *Urges* Member States to contribute to the efforts of the United Nations to usher in a world free of colonialism within the context of the International Decades for the Eradication of Colonialism, and calls upon them to continue to give their full support to the Special Committee in its endeavours towards that noble goal;

12. *Stresses* the importance of the various constitutional exercises in the respective Territories administered by the United Kingdom of Great Britain and Northern Ireland and the United States of America, and led by the territorial Governments, designed to address internal constitutional structures within the present territorial arrangements, and decides to follow closely the developments concerning the future political status of those Territories;

13. *Requests* the Secretary-General to continue to report to the General Assembly on a regular basis on the implementation of decolonization resolutions adopted since the declaration of the Third International Decade for the Eradication of Colonialism;

14. *Reiterates its request* that the Human Rights Committee collaborate with the Special Committee, within the framework of its mandate on the right to self-determination as contained in the International Covenant on Civil and Political

Rights,[4] with the aim of exchanging information, given that the Human Rights Committee is mandated to review the situation, including political and constitutional developments, in many of the Non-Self-Governing Territories that are within the purview of the Special Committee;

15. *Requests* the Special Committee to continue to collaborate with the Economic and Social Council and its relevant subsidiary intergovernmental bodies, within the framework of their respective mandates, with the aim of exchanging information on developments in those Non-Self-Governing Territories which are reviewed by those bodies;

16. *Also requests* the Special Committee to continue to examine the question of the Non-Self-Governing Territories and to report thereon to the General Assembly at its sixty-seventh session and on the implementation of the present resolution.

B
Individual Territories

The General Assembly,

Referring to resolution A above,

I
American Samoa

Taking note of the working paper prepared by the Secretariat on American Samoa[7] and other relevant information,

Noting the statement made by the representative of the Governor of American Samoa at the Caribbean regional seminar, held in Kingstown from 31 May to 2 June 2011, that the Territory's position that it should be removed from the United Nations list of Non-Self-Governing Territories continued to hold, that it was time to make political and economic progress while respecting the concerns of the administering Power and the United Nations, and that the administering Powers should be urged to transmit information on their respective Non-Self-Governing Territories for consideration by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Aware that under United States law the Secretary of the Interior has administrative jurisdiction over American Samoa,[8]

Noting the position of the administering Power and the statements made by representatives of American Samoa in regional seminars, including at the 2011 Caribbean regional seminar, inviting the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to send a visiting mission to the Territory,

Aware of the work of the Future Political Status Study Commission, completed in 2006, the release of its report, with recommendations, in January 2007, and the

[7] A/AC.109/2011/12.

[8] United States Congress, 1929 (48 U.S.C. Sec. 1661, 45 Stat. 1253), and Secretary's Order 2657, Department of the Interior, United States of America, 1951, as amended.

creation of the American Samoa Constitutional Review Committee in the Territory, as well as the holding in June 2010 of American Samoa's fourth Constitutional Convention,

Noting, in that regard, the statement made by the representative of the Governor of American Samoa at the 2011 Caribbean regional seminar and previous policy papers presented to the Special Committee stating that, against a backdrop of a decades-long popular preference for integration with the United States of America, the Territory wished to move forward on political status, local autonomy and self-governance issues,

Acknowledging the indication by the territorial Government, including at the 2011 Caribbean regional seminar, that the effects of certain federal laws on the Territory's economy are serious cause for concern,

Aware that American Samoa continues to be the only United States Territory to receive financial assistance from the administering Power for the operations of the territorial Government,

1. *Takes note* that, at the November 2010 general election, voters defeated the proposed amendments to the 1967 revised Constitution of American Samoa adopted at the fourth Constitutional Convention held in June 2010;

2. *Welcomes* the work of the territorial Government with respect to moving forward on political status, local autonomy and self-governance issues with a view to making political and economic progress;

3. *Expresses appreciation* for the invitation extended in 2011 to the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the Governor of American Samoa to send a visiting mission to the Territory, calls upon the administering Power to facilitate such a mission if the territorial Government so desires, and requests the Chair of the Special Committee to take all the steps necessary to that end;

4. *Requests* the administering Power to assist the Territory by facilitating its work concerning a public awareness programme, consistent with Article 73 *b* of the Charter of the United Nations, and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

5. *Calls upon* the administering Power to assist the territorial Government in the diversification and sustainability of the economy of the Territory and to address employment and cost-of-living issues;

II
Anguilla

Taking note of the working paper prepared by the Secretariat on Anguilla[9] and other relevant information,

Recalling the holding of the 2003 Caribbean regional seminar in Anguilla, hosted by the territorial Government and made possible by the administering Power, the first time that the seminar had been held in a Non-Self-Governing Territory,

[9] A/AC.109/2011/2.

Recalling also the statement of the representative of Anguilla at the Caribbean regional seminar, held in Frigate Bay, Saint Kitts and Nevis, from 12 to 14 May 2009,

Noting the internal constitutional review process resumed by the territorial Government in 2006, the work of the Constitutional and Electoral Reform Commission, which prepared its report in August 2006, the holding of public and other consultative meetings in 2007 on proposed constitutional amendments to be presented to the administering Power, and the 2008 decision to set up a drafting team consisting of territorial Government officials, members of the House of Assembly and lawyers to draft a new constitution, as well as the presentation of the draft constitution for public consultation in the Territory in 2009 and the expectation that the draft text will be discussed with the United Kingdom of Great Britain and Northern Ireland, with the aim of seeking full internal self-government without prejudice to independence as an option,

Aware of certain difficulties in the relations between the territorial Government and the administering Power regarding budgetary and economic matters and of the intention of the territorial Government to continue its commitment to high-end tourism in an effort to promote local employment opportunities,

Noting the participation of the Territory as an associate member in the Caribbean Community, the Organization of Eastern Caribbean States and the Economic Commission for Latin America and the Caribbean,

Aware of the willingness expressed by the Prime Ministers of the States members of the Organization of Eastern Caribbean States in 2011 to assist in the resolution of difficulties being experienced by the territorial Government in respect of its relations with the Government of the United Kingdom of Great Britain and Northern Ireland,

1. *Once again welcomes* the presentation of a new constitution for public consultation in 2009 with the aim of further discussing the new constitution with the administering Power in 2010, and urges that constitutional discussions be concluded as soon as possible;

2. *Requests* the administering Power to assist the Territory in its current efforts with regard to advancing the internal constitutional review exercise, if requested;

3. *Stresses* the importance of the previously expressed desire of the territorial Government for a visiting mission by the Special Committee, calls upon the administering Power to facilitate such a mission, if the territorial Government so desires, and requests the Chair of the Special Committee to take all the necessary steps to that end;

4. *Requests* the administering Power to assist the Territory by facilitating its work concerning public consultative outreach efforts consistent with Article 73 *b* of the Charter of the United Nations, and, in this regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

5. *Calls upon* the administering Power to assist the territorial Government in strengthening its commitments in the economic domain, including budgetary matters, with regional support as needed and appropriate;

6. *Welcomes* the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

III
Bermuda

Taking note of the working paper prepared by the Secretariat on Bermuda[10] and other relevant information,

Recalling the statement of the representative of Bermuda at the Caribbean regional seminar, held in Frigate Bay, Saint Kitts and Nevis, from 12 to 14 May 2009,

Conscious of the different viewpoints of the political parties on the future status of the Territory, and noting a January 2011 survey by local media according to which 73 per cent of respondents did not wish to sever ties with the United Kingdom of Great Britain and Northern Ireland, the administering Power, and 14 per cent were in favour of independence,

Recalling the dispatch of the United Nations special mission to Bermuda in 2005, at the request of the territorial Government and with the concurrence of the administering Power, which provided information to the people of the Territory on the role of the United Nations in the process of self-determination, on the legitimate political status options as clearly defined in General Assembly resolution 1541 (XV) and on the experiences of other small States that have achieved a full measure of self-government,

1. *Stresses* the importance of the 2005 report of the Bermuda Independence Commission, which provides a thorough examination of the facts surrounding independence, and continues to regret that the plans for public meetings and the presentation of a Green Paper to the House of Assembly followed by a White Paper outlining the policy proposals for an independent Bermuda have so far not materialized;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public educational outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and, in this regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

IV
British Virgin Islands

Taking note of the working paper prepared by the Secretariat on the British Virgin Islands[11] and other relevant information,

Noting the statement of the representative of the British Virgin Islands at the Caribbean regional seminar, held in Kingstown from 31 May to 2 June 2011, that independence was not a matter regularly discussed among the people of the Territory as there had been no popular call for such a drastic change in the relationship with the administering Power and that the policy framework governing the relationship with the administering Power was being reviewed,

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[10] A/AC.109/2011/5.

[11] A/AC.109/2011/6.

Recalling also the 1993 report of the Constitutional Commissioners, the 1996 debate on the report in the Legislative Council of the Territory, the establishment of the Constitutional Review Commission in 2004, the completion in 2005 of its report providing recommendations on internal constitutional modernization and the debate held in 2005 on the report in the Legislative Council, as well as the negotiations between the administering Power and the territorial Government, which resulted in the adoption of the new Constitution of the Territory in 2007,

Noting the view expressed in the aforementioned statement made by the representative of the British Virgin Islands at the 2011 Caribbean regional seminar that there was scope for further constitutional review with respect to the practical and effective implementation of the provisions of the 2007 Constitution in the Territory,

Aware of the negative impact of the global economic slowdown on the growth of the Territory's financial and tourism services sectors, which was possibly somewhat less severe in 2010-2011,

Cognizant of the potential usefulness of regional ties for the development of a small island Territory,

1. *Recalls* the Constitution of the British Virgin Islands, which took effect in 2007, and stresses the importance of continued discussions on constitutional matters, to accord greater responsibility to the territorial Government for the effective implementation of the 2007 Constitution;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Welcomes* the efforts made by the Territory to strengthen its financial services regulatory regime and seek new, non-traditional markets for its tourism industry;

4. *Also welcomes* the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

5. *Further welcomes* the holding of the May 2011 meeting of the Inter-Virgin Islands Council between the Territory and the United States Virgin Islands, held for the first time at the level of heads of territorial Government;

V
Cayman Islands

Taking note of the working paper prepared by the Secretariat on the Cayman Islands[12] and other relevant information,

Recalling the statement made by the representative of the territorial Government at the Pacific regional seminar held in Nouméa from 18 to 20 May 2010,

Aware of the 2002 report of the Constitutional Modernization Review Commission, which contained a draft constitution for the consideration of the people of the Territory, the 2003 draft constitution offered by the administering

[12] A/AC.109/2011/8.

Power and the subsequent discussions between the Territory and the administering Power in 2003, and the reopening of discussions between the administering Power and the territorial Government on internal constitutional modernization, in 2006, which resulted in the finalization of a new draft constitution in February 2009, its subsequent acceptance by referendum in May 2009, and promulgation in November 2009,

Conscious of the work, under the 2009 Constitution, of the new Constitutional Commission, which serves as an advisory body on constitutional matters,

Acknowledging the view of the territorial Government that, in spite of the global economic downturn and unemployment issues, the Territory's financial services and tourism industries would help sustain a strong economy,

1. *Recalls* the Constitution, which took effect in 2009, and stresses the importance of the work of the new Constitutional Commission, including human rights education, in the Territory;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public awareness outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and, in this regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Welcomes* the Territory's active participation in the work of the Economic Commission for Latin America and the Caribbean;

4. *Also welcomes* the efforts made by the territorial Government to implement sectoral management policies such as investment facilitation and regulation and the promotion of medical and sports tourism, as well as unemployment alleviation programmes in various economic sectors;

VI
Guam

Taking note of the working paper prepared by the Secretariat on Guam[13] and other relevant information,

Noting the statement made by the representative of the Governor of Guam at the Caribbean regional seminar, held in Kingstown from 31 May to 2 June 2011, that the territorial Government had a strong commitment to the inalienable right of the Chamorro people of Guam to self-determination, aspired to a partnership with the administering Power where all interests were respected and considered, and generally considered militarism an impediment to decolonization,

Aware that under United States law the relations between the territorial Government and the federal Government in all matters that are not the programme responsibility of another federal department or agency are under the general administrative supervision of the Secretary of the Interior,[14]

Recalling that, in a referendum held in 1987, the registered and eligible voters of Guam endorsed a draft Guam Commonwealth Act that would establish a new framework for relations between the Territory and the administering Power,

[13] A/AC.109/2011/15.

[14] United States Congress, Organic Act of Guam, 1950, as amended.

providing for a greater measure of internal self-government for Guam and recognition of the right of the Chamorro people of Guam to self-determination for the Territory,

Recalling also the requests by the elected representatives and non-governmental organizations of the Territory, including at the 2011 Caribbean regional seminar, that Guam not be removed from the list of the Non-Self-Governing Territories with which the Special Committee is concerned, pending the self-determination of the Chamorro people and taking into account their legitimate rights and interests,

Aware that negotiations between the administering Power and the territorial Government on the draft Guam Commonwealth Act ended in 1997 and that Guam has subsequently established a non-binding plebiscite process for a self-determination vote by the eligible Chamorro voters,

Cognizant of the importance that the administering Power continues to implement its programme of transferring surplus federal land to the Government of Guam,

Noting that the people of the Territory have called for reform in the programme of the administering Power with respect to the thorough, unconditional and expeditious transfer of land property to the people of Guam,

Aware of the deep concerns expressed by civil society and others, including at the meeting of the Special Political and Decolonization Committee of the General Assembly in October 2009 and 2010, at the Pacific regional seminar held in Nouméa from 18 to 20 May 2010, and at the 2011 Caribbean regional seminar, regarding the potential social, cultural, economic and environmental impacts of the planned transfer of additional military personnel of the administering Power to the Territory,

Conscious that immigration into Guam has resulted in the indigenous Chamorros becoming a minority in their homeland,

1. *Calls once again upon* the administering Power to take into consideration the expressed will of the Chamorro people as supported by Guam voters in the referendum of 1987 and as subsequently provided for in Guam law regarding Chamorro self-determination efforts, encourages the administering Power and the territorial Government to enter into negotiations on the matter, and stresses the need for continued close monitoring of the overall situation in the Territory;

2. *Requests* the administering Power, in cooperation with the territorial Government, to continue to transfer land to the original landowners of the Territory, to continue to recognize and to respect the political rights and the cultural and ethnic identity of the Chamorro people of Guam and to take all measures necessary to address the concerns of the territorial Government with regard to the question of immigration;

3. *Also requests* the administering Power to assist the Territory by facilitating public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and, in this regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested, and welcomes the recent outreach work by the territorial Government, including the convening in 2011 of a Chamorro forum;

4. *Further requests* the administering Power to cooperate in establishing programmes for the sustainable development of the economic activities and enterprises of the Territory, noting the special role of the Chamorro people in the development of Guam;

VII
Montserrat

Taking note of the working paper prepared by the Secretariat on Montserrat[15] and other relevant information,

Recalling the statement of the representative of Montserrat at the Caribbean regional seminar, held in Frigate Bay, Saint Kitts and Nevis, from 12 to 14 May 2009,

Aware of the 2002 report of the Constitutional Review Commission, the convening of a committee of the House of Assembly in 2005 to review the report, the subsequent negotiating process with the administering Power on a draft constitution according greater autonomy to the territorial Government, the efforts of the newly elected 2010 territorial Government to continue the process of negotiating constitutional reforms with the administering Power, and the draft constitution agreed between the two parties and published for public consultation,

Noting the approval of a new Constitution in 2010 and the work of the territorial Government to update the relevant parts of the Territory's legislation so that the Constitution can enter into force later in 2011,

Aware that Montserrat continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

Recalling the statements made by participants at the 2009 Caribbean regional seminar encouraging the administering Power to commit sufficient resources to meet the Territory's special needs,

Noting with concern the continued consequences of the 1995 volcanic eruption, which led to the evacuation of three quarters of the Territory's population to safe areas of the island and to areas outside the Territory, which continues to have enduring consequences for the economy of the island,

Acknowledging the continued assistance provided to the Territory by States members of the Caribbean Community, in particular Antigua and Barbuda, which has offered safe refuge and access to educational and health facilities, as well as employment for thousands who have left the Territory,

Noting the continuing efforts of the administering Power and the territorial Government to deal with the consequences of the volcanic eruption,

1. *Recalls* the progress made by the territorial Government and the administering Power on concluding the negotiations to reform the Constitution of the Territory, and welcomes the approval of a new constitution for the Territory, which is expected to enter into force later in 2011;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter

[15] A/AC.109/2011/11.

of the United Nations, and, in this regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Welcomes* the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

4. *Calls upon* the administering Power, the specialized agencies and other organizations of the United Nations system, as well as regional and other organizations, to continue to provide assistance to the Territory in alleviating the consequences of the volcanic eruption;

VIII
Pitcairn

Taking note of the working paper prepared by the Secretariat on Pitcairn[16] and other relevant information,

Taking into account the unique character of Pitcairn in terms of population, area and access,

Aware that, following consultations in 2009, the Pitcairn Constitution Order 2010, including human rights provisions, came into force in the Territory in March 2010,

Also aware that the administering Power and the territorial Government have implemented a new governance structure to strengthen administrative capacity in the Territory, based on consultations with the people of the Territory, and that Pitcairn continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

1. *Recalls* the entry into force of the Pitcairn Constitution Order 2010 in the Territory in March 2010, featuring a new constitutional framework and human rights provisions, and all efforts by the administering Power and the territorial Government that would further devolve operational responsibilities to the Territory, with a view to gradually expanding self-government, including through training of local personnel;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and, in this regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Also requests* the administering Power to continue its assistance for the improvement of the economic, social, educational and other conditions of the population of the Territory and to continue its discussions with the territorial Government on how best to support socio-economic security in Pitcairn;

IX
Saint Helena

Taking note of the working paper prepared by the Secretariat on Saint Helena[17] and other relevant information,

Recalling the statement of the representative of Saint Helena at the Caribbean regional seminar, held in Frigate Bay, Saint Kitts and Nevis, from 12 to 14 May 2009,

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[16] A/AC.109/2011/4.

[17] A/AC.109/2011/7.

Taking into account the unique character of Saint Helena in terms of its population, geography and natural resources,

Aware of the internal constitutional review process led by the territorial Government since 2001, the completion of a draft constitution following negotiations between the administering Power and the territorial Government in 2003 and 2004, the consultative poll with regard to a new Constitution, held in Saint Helena in May 2005, the subsequent preparation of a revised draft constitution and its publication in June 2008 for further public consultation, and the entry into force of the new Constitution for Saint Helena, Ascension and Tristan da Cunha on 1 September 2009,

Cognizant that Saint Helena continues to receive budgetary aid from the administering Power for the operation of the territorial Government,

Aware of the efforts of the administering Power and the territorial Government to improve the socio-economic conditions of the population of Saint Helena, in particular in the areas of employment and transport and communications infrastructure,

Noting the efforts of the Territory to address the problem of unemployment on the island and the joint action of the administering Power and the territorial Government in dealing with it,

Noting also the importance of improving the infrastructure and accessibility of Saint Helena, and, in this regard, the administering Power's announcement in 2010 about plans for building an airport on the island of Saint Helena,

1. *Stresses* the importance of the Territory's 2009 Constitution;

2. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

3. *Requests* the administering Power and relevant international organizations to continue to support the efforts of the territorial Government to address the Territory's socio-economic development challenges, including unemployment, and limited transport and communications infrastructure;

4. *Calls upon* the administering Power to take into account the unique geographical character of Saint Helena while resolving as soon as feasible any outstanding issues related to the airport construction;

X
Turks and Caicos Islands

Taking note of the working paper prepared by the Secretariat on the Turks and Caicos Islands[18] and other relevant information,

Recalling the statement of the representative of the Turks and Caicos Islands at the Caribbean regional seminar, held in Frigate Bay, Saint Kitts and Nevis, from 12 to 14 May 2009,

[18] A/AC.109/2011/10.

Recalling also the dispatch of the United Nations special mission to the Turks and Caicos Islands in 2006, at the request of the territorial Government and with the concurrence of the administering Power,

Aware of the 2002 report of the Constitutional Modernization Review Body, and acknowledging the Constitution agreed between the administering Power and the territorial Government, which entered into force in 2006,

Noting the administering Power's decisions to suspend parts of the 2006 Constitution of the Turks and Caicos Islands, covering the constitutional right to trial by jury, ministerial Government, and the House of Assembly, following the recommendations of an independent Commission of Inquiry and the ruling of the administering Power's Court of Appeal, and to present a draft constitution for public consultation in 2011,

Noting also the continued postponement of elections in the Territory,

Acknowledging the impact that the global economic slowdown and other relevant developments have had on tourism and related real estate development, the mainstays of the Territory's economy, and the 2010-2011 fiscal stabilization plan providing stimuli to the Territory's private sector,

1. *Notes with grave concern* the ongoing situation in the Turks and Caicos Islands, and also notes the efforts of the administering Power to restore good governance and sound financial management in the Territory;

2. *Calls for* the restoration of constitutional arrangements providing for representative democracy through elected territorial Government as soon as possible;

3. *Notes* the positions and repeated calls of the Caribbean Community and the Movement of Non-Aligned Countries for the restoration of democratically elected territorial Government as a matter of urgency and notes also the view expressed by the administering Power not to postpone elections any longer than necessary;

4. *Also notes* the extensive public consultations undertaken by the Constitutional and Electoral Reform Adviser and the continued debate on constitutional and electoral reform within the Territory, and stresses the importance of participation by all groups and interested parties in the consultation process;

5. *Stresses* the importance of having in place in the Territory a Constitution that reflects the aspirations and wishes of the people of the Territory, based on the mechanisms for popular consultation;

6. *Requests* the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and, in that regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

7. *Welcomes* the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

8. *Also welcomes* the continuing efforts made by the Government addressing the need for attention to be paid to the enhancement of socio-economic development across the Territory;

XI
United States Virgin Islands

Taking note of the working paper prepared by the Secretariat on the United States Virgin Islands[19] and other relevant information,

Aware that under United States law the relations between the territorial Government and the federal Government in all matters not the programme responsibility of another federal department or agency are under the general administrative supervision of the Secretary of the Interior,[20]

Aware also of the fifth attempt of the Territory to review the existing Revised Organic Act, which organizes its internal governance arrangements, as well as its requests to the administering Power and the United Nations system for assistance to its public education programme,

Cognizant that a draft constitution was proposed in 2009 and subsequently forwarded to the administering Power, which in 2010 requested the Territory to consider its objections to the draft constitution,

Cognizant also of the potential usefulness of regional ties for the development of a small island Territory,

1. *Welcomes* the proposal of a draft constitution emanating from the Territory in 2009, as a result of the work of the United States Virgin Islands fifth Constitutional Convention, for review by the administering Power, and requests the administering Power to assist the territorial Government in achieving its political, economic and social goals, in particular the successful conclusion of the ongoing internal Constitutional Convention exercise;

2. *Requests* the administering Power to facilitate the process for approval of the proposed territorial constitution in the United States Congress and its implementation, once agreed upon in the Territory;

3. *Also requests* the administering Power to assist the Territory by facilitating its work concerning a public education programme, consistent with Article 73 *b* of the Charter of the United Nations, and, in this regard, calls upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

4. *Reiterates its call* for the inclusion of the Territory in regional programmes of the United Nations Development Programme, consistent with the participation of other Non-Self-Governing Territories;

5. *Welcomes* the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

6. *Also welcomes* the holding of the May 2011 meeting of the Inter-Virgin Islands Council between the Territory and the British Virgin Islands, held for the first time at the level of heads of territorial Government.

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[19] A/AC.109/2011/9.

[20] United States Congress, Revised Organic Act, 1954.